

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on January 28, 2009 at 9 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Gregory D. Barkus (R)
Sen. Jim Peterson (R)
Sen. Carolyn Squires (D)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 253, SB 254, SB 224 1/20/2009

Executive Action: None

HEARING ON SB 253

Opening Statement by Sponsor:

00:01:54 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SB 253, Allow tips as credit against minimum wage.

Proponents' Testimony:

00:03:04 Brad Griffin, Montana Restaurant Association
00:05:58 Blu Funk, Chairman, Montana Restaurant Association
00:07:10 Bob Miller, Bear Claw Bar & Grill, McAllister

EXHIBIT (bus20a01)

00:11:56 Jeff Knowles, Pizza Hut, Great Falls
00:13:38 Lonnie Bergstrom, Four Aces Casino, Lewistown
00:18:02 Linda Vap, Hu Hot Mongolian Grill, Missoula
00:21:37 Joel Bowman, Owner, Eddy's Corner
00:24:27 Rob Smith, represents Outback Steak Houses, Billings, Bozeman, Missoula
00:26:04 Jon Bennion, Montana Chamber of Commerce
00:27:13 Casey Ryan, Ryan Restaurant Corporation
00:28:20 Ralph Ferro, Ferro's Italian Restaurant, Bozeman
00:29:04 Chuck Denowh, Flathead Business and Industry Association
00:29:37 Riley Johnson, National Federation of Independent Business (NFIB)
00:29:55 David Smith, President, CEO, Bozeman Chamber of Commerce
00:30:57 Ronda Wiggers, Montana Coin Machine Operators, Great Falls and Helena Chambers of Commerce, and representing Neil Peterson with Gambling Association
00:32:04 Stuart Doggett, Montana Innkeepers Association
00:32:26 Brad Ridgeway, Chief Operating Officer, Glacier Restaurant Association, Mackenzie River Pizza Chain
00:33:15 Peter Mollet, Owner, Perkins Restaurants, four cities in Montana

Opponents' Testimony:

00:37:18 Keith Kelly, Commissioner, Montana Department of Labor and Industry (DOLI)
00:42:29 Andrea Martin, Self, Server at Benney's Bistro, Helena
EXHIBIT (bus20a02)

00:45:53 Mark Anderlik, Executive Officer, Montana Restaurant Workers Union Local #427
00:52:37 Rep. Franke Wilmer, HD 64, Bozeman, Professor, Montana State University

00:56:26 Jacquie Helt, former Executive Officer of Restaurant Workers Union

00:59:17 Tracey Duncan, Self, bartender at Overland Express; Queen City Ballet, dance teacher; and full time student

EXHIBIT (bus20a03)

01:00:34 Judy White, Self, Missoula

EXHIBIT (bus20a04)

01:03:07 Stephanie Padavich, Intern at AFL-CIO and Senior at Carroll College, formerly worked as barista at Starbucks, Helena

01:06:09 Jim McGarvey, Executive Secretary, AFL-CIO speaking on behalf of 36,000 union members and families

EXHIBIT (bus20a05)

01:08:17 Rachel Conn, waitress and sous chef at a Montana restaurant

01:13:50 Don Judge, Boilermakers Local D235, Three Forks

01:16:58 Terry Minow, MEA-MFT

01:17:24 Jason Miller, Local Unions in Montana, International Brotherhood of Teamsters and International Brotherhood of Carpenters

01:18:06 Maureen Weiland, representing Associated Students at Montana State University, Bozeman

01:18:48 Robert Johnson, AFL-CIO

01:19:28 Jamee Greer, Montana Human Rights Network

01:21:34 Emily Koffler, represents Associated Students of University of Montana and is former restaurant employee

01:22:29 Dennis Danake, Carpenter's Union, Missoula

Informational Testimony: None

Questions from Committee Members and Responses:

01:23:57 Chairman Balyeat

01:25:16 Brad Griffin

01:25:51 Chairman Balyeat

01:35:53 Keith Kelly

01:37:40 Chairman Balyeat

01:43:33 Rachel Conn

01:43:55 Chairman Balyeat left the room; Sen. Jackson assumed the chair.

01:44:03 Sen. Stewart-Peregoy

01:44:41 Jim McGarvey

01:44:58 Jacquie Helt

01:47:05 Sen. Tropila

01:48:52 Mark Anderlik
01:49:11 Sen. Barkus
01:50:27 Mr. Anderlik
01:51:47 Sen. Barkus
01:52:56 Tracey Duncan
01:53:08 Sen. Stewart-Peregoy
01:56:30 Keith Kelly
01:57:43 Sen. Brown
01:58:49 Mr. Kelly
02:00:29 Sen. Squires
02:05:31 Mr. Kelly
02:06:22 Sen. Tropila
02:07:17 Vice Chairman Jackson
02:08:09 Mr. Griffin
02:08:54 Vice Chairman Jackson
02:09:24 Mr. Kelly

Closing by Sponsor:

02:10:02 Sen. Steinbeisser

02:11:18 Recess
02:21:28 Resume

HEARING ON SB 254

Opening Statement by Sponsor:

02:21:41 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SB 254, Remove inflation index from minimum wage law.

Proponents' Testimony:

02:23:38 Brad Griffin, Montana Restaurant Association
02:26:28 Jeff Knowles, representing the Coulton family in Great Falls, owners of Pizza Hut and High Plains Pizza in several locations
02:28:13 Linda Vap, Hu Hot Mongolian Grill
02:29:25 Blu Funk, Showthyme Restaurant, Big Fork
02:30:38 Peter Mollet, representing six Perkins Restaurants
02:32:14 Bob Miller, Bear Paw Bar and Grill, McAllister
02:33:33 Casey Ryan, representing Applebys, Famous Daves, and Dennys Restaurants
02:33:49 Robert Smith, representing Outback Steakhouses
02:34:03 John Bennion, Montana Chamber of Commerce
02:36:07 David Smith, President, CEO Montana Chamber of Commerce
02:36:26 Ronda Wiggers, Great Falls and Helena Chambers of Commerce, also representing Riley Johnson, NFIB

Opponents' Testimony:

02:37:50 Keith Kelly, Commissioner, Montana DOLI
02:41:44 Don Judge, representing Boilermakers Local D235, Three
Forks
02:45:40 Jim McGarvey, AFL-CIO, on behalf of 36,000 members and
their families

EXHIBIT (bus20a06)

02:49:01 Terry Minow, MEA-MFT, 17,500 members
02:50:57 Layna George, represents the organization 'Working for
Economic Equality and Liberation' (WEEL)

EXHIBIT (bus20a07)

02:53:31 Linda Gryczan, Montana Women's Lobby, Business and
Professional Women (BPW)
02:54:26 Mark Anderlik, Union Local 247

Informational Testimony: None

Questions from Committee Members and Responses:

02:56:25 Sen. Tropila
02:57:02 Robert Smith
02:57:51 Sen. Barkus
02:58:17 Blu Funk
02:58:52 Blu Funk
02:59:35 Sen. Barkus
02:60:43 Keith Kelly
03:00:21 Sen. Tropila

Closing by Sponsor:

03:00:33 Sen. Steinbeisser
03:01:45 Sen. Balyeat assumed the Chair.

HEARING ON SB 224

Opening Statement by Sponsor:

03:02:10 Sen. Roy Brown (R), SD 25, opened the hearing on SB
224, Transfer \$30 million from general fund to work
comp old fund.

EXHIBIT (bus20a08)

EXHIBIT (bus20a09)

Proponents' Testimony:

03:13:41 John Bennion, Montana Chamber of Commerce
03:16:15 Rick Hill, Montana Building Industry Association,
former Chairman of the Board at State Fund
03:20:12 Sen. John Esp, SD 31, Big Timber

Opponents' Testimony: None

Informational Testimony:

03:20:50 Nancy Butler, Montana State Fund

Questions from Committee Members and Responses:

03:21:25 Sen. Keane
03:23:04 Nancy Butler
03:23:24 Sen. Tropila
03:23:32 Mark Barry, Montana State Fund
03:23:42 Sen. Barkus
03:25:56 Mr. Barry

Closing by Sponsor:

03:26:43 Mr. Brown

03:27:55 Chairman Balyeat
03:28:22 Pat Murdo
03:29:08 Sen. Squires
03:29:18 Chairman Balyeat

EXHIBIT (bus20a10) Pertains to request made during Hearing on SB
142 of 1/27/09.

ADJOURNMENT

Adjournment: 12:35 P.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus20aad.pdf](#))